

REMARKS

Claims 1, 2, 4-24, and 26-33 are pending. In this paper, claims 1, 2, 4, 5, 7, 9, 13, and 23 have been amended and claims 3, 25, and 34-37 have been canceled. Applicants submit that the amendments presented in this paper raise no new issues requiring further searching or consideration by the Examiner, as all of the amendments derive from features recited in dependent claims which have been previously examined. Accordingly, entry of this paper is proper.

Reconsideration of the application is respectfully requested for the following reasons.

In the Office Action, claims 1-5, 7-10, 13-21, 23-25, and 27-31 were rejected under 35 USC § 103(a) for being obvious in view of a Lewis-Nakashima combination. This rejection is traversed for the following reasons.

Claim 1 has been amended to recite the data terminal unit transmits operational state information of the repeater to the server over a different network than the server uses to transmit commands to the data terminal unit to correct a malfunction of the repeater.

More specifically, amended claim 1 recites that “the data terminal unit sends information indicative of an operational state of said repeater to the server through the mobile communication network” and that “the server sends commands to the data terminal unit through the mobile IP network for correcting a malfunction of the repeater in response to said operational state information.” (See, for example, pages 17-19 of the specification for support). The Lewis patent does not disclose these features.

The Lewis patent discloses sending e-mails from a server to a wireless (e.g., Blackberry) terminal 24 through an IP network. A link between the IP network and wireless terminal passes through a router 20, which the Examiner has referred to as a repeater. (See Figure 1)

However, the Lewis system is different from claim 1 in that all information transmitted between terminal 24 and server 12 takes place through IP network 18. (See link 16 in Figure 1). Lewis, therefore, does not teach or suggest a data terminal unit that transmits operational state information of the repeater to the server over a different network than the server uses to transmit commands to the data terminal unit to correct a malfunction of the repeater.

More specifically, Lewis does not teach or suggest a data terminal unit that “sends information indicative of an operational state of said repeater to the server through the mobile communication network” and that “the server sends commands to the data terminal unit through the mobile IP network for correcting a malfunction of the repeater.”

Claim 1 further requires the server to send the commands to the data terminal unit through the mobile IP network “in response to said operational state information” that was transmitted to the server through the mobile communications network. The Lewis patent also does not teach or suggest these features.

These differences allow the data terminal unit to, for example, transmit operational state information of the repeater in an SMS message format through the mobile communication system, and then receive correction commands (or an updated version of control software) from the server through the mobile IP network. Because correction commands tend to require much larger bandwidth, they are not always suitable for incorporation into an SMS message.

Accordingly, use of the mobile IP network for this purpose is advantageous in terms of reducing network load and promoting the ability to receive corrections in real time through the IP network.

On the other hand, the amount of operational state information tends to be small relative to the correction commands. Therefore, transmitting this information to the server in an SMS message is advantageous in terms of speed and efficiency. The Lewis patent is unable to achieve this level of performance.

To make up for the deficiencies of the Lewis patent, the Nakashima patent was cited.

The Nakashima patent discloses monitoring the operation of a network controller 10a, and then transmitting status information indicative of the operational state of the controller to a monitoring station 40a through a communication network 2. (See Figure 1). The Nakashima patent does not teach or suggest the features of claim 1 missing from the Lewis patent.

That is, Nakashima does not teach or suggest a data terminal unit that “sends information indicative of an operational state of said repeater to the server through the mobile communication network” and that “the server sends commands to the data terminal unit through the mobile IP network for correcting a malfunction of the repeater.” Moreover, Nakashima does not teach or suggest transmitting correction commands to a data terminal unit over a mobile IP network in response to operational state information received over a different network (mobile communication network).

Amdt. dated August 29, 2007

Reply to Final Office Action of June 7, 2007

Without a teaching or suggestion of these features, it is respectfully submitted that claim 1 and its dependent claims are allowable over a Lewis-Nakashima combination. Withdrawal of the § 103(a) rejection as applied to these claims is therefore respectfully requested.

Claims 7, 13, and 23 have been amended to recite features similar to those that patentably distinguish claim 1 from a Lewis-Nakashima combination. Applicants therefore submit that claims 7, 13, 23, and its dependent claims are allowable.

Claims 6, 11, 12, 22, 26, 32, and 33 were rejected under 35 USC § 103(a) for being obvious in view of a Lewis-Sen combination. (This combination is also believed to include the Nakashima patent based on the comments in the Final Office Action). Applicants traverse this rejection on grounds that the Sen patent does not teach or suggest the features of claims 1, 7, 13, and 23 missing from the Lewis and Nakashima patents.


In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

Amdt. dated **August 29, 2007**

Reply to Final Office Action of June 7, 2007

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP



Daniel Y. J. Kim
Registration No. 36,186

Samuel W. Ntiros
Registration No. 39,318

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3777 DYK/SWN/kzw

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Please direct all correspondence to Customer Number 34610